

43rd District Legislative Report

Dear Neighbor,

By the time you receive this, the legislative session will have been over for some weeks. The session was frustrating, at times truly offensive, and, very occasionally, rewarding. The session had more to do with fighting off proposals that I found divisive and mean-spirited. There were majority party committee chairs who involved all of us on bipartisan issues, but others who had their own agenda and rammed issues through without any regard for others' opinions — even members of their own party!

I am pleased with the passage of the new law for the developmentally disabled, a new system for funding nursing homes — with special recognition for the patients at Bailey-Boushay House, who have very intensive treatment needs; the reform of the mentally-ill-offender law; greater penalties for drunk drivers; a reduction in B&O taxes for child care providers; the defeat of restrictions on abortion; and the funding of the enrollees in the Basic Health Plan, which supposedly had been provided in the 1997 budget.

Frustrations were many: the failure of the majority party to consider funding the expansion of the children's health plan even for children with special (and expensive) health needs; the passage of the ban on gay marriage; and a flawed transportation plan with a very costly source of funding — a source that could well limit the state from funding schools, and local governments from funding criminal justice.

The offensive features of the session were the refusal of the majority party to cooperate in budget planning, either with us or the Governor; the "social agenda" and, most important, the disregard for the rules and procedures that help make democracy work.

In this newsletter, I will concentrate on several issues that came before the Legislature, and describe to you, from my perspective, how they either became law or failed. These descriptions will illustrate what happens to an issue in the legislative process, how it's modified, and the end results.

Keep in touch.

Pat
Pat



Senator Pat Thibaudeau
Democratic Caucus Vice Chair

Committees:

Ways & Means
Rules
Law & Justice

How to reach me:

414 John A. Cherberg Building
PO Box 40482
Olympia, WA 98504-0482

Olympia telephone:

(360) 786-7628
FAX: (360) 786-7450

43rd District Office:

1411 Fourth Ave., Suite 1501
Seattle, WA 98101

District Office telephone:

(206) 389-2555

Toll-free Legislative Hotline:

1-800-562-6000

E-mail: thibaude_pa@leg.wa.gov

**Washington State Legislature
homepage:**

<http://www.leg.wa.gov>

Inside: Gay Marriage
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Fertilizer Regulations (SB 6474)

The Process

January, 1998 — A bill, at the request of the Governor, was introduced in the Senate and referred to the Agriculture & Environment Committee where a substitute bill was introduced and approved. The bill was then referred to the Senate Ways & Means Committee, then to the Rules Committee.

February, 1998 — The bill was approved by the Senate and then sent to the House of Representatives and the

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House Agriculture & Ecology Committee. The bill then went to the House Rules Committee and to the House floor, where it was amended.

March, 1998 — The Senate concurred with the House amendments and the bill was signed by Governor Locke.

The Story

This bill, supported by the Governor, the Department of Ecology, and growers, would place standards on the contents of fertilizers. Environmentalists opposed the bill because it didn't go far enough in preventing toxic substances from being included in fertilizers.

The issue was whether adoption of the Canadian standard was not only adequate, but would be a good basis for ensuring health and safety in the use of those fertilizers containing certain products. As usual in this very contentious session, we needed to evaluate whether this standard would be a foundation for building better rules in the future.

My Perspective

Initially, I decided that some standard is better than none, and that if we were unable to improve on this bill, I would support it. After listening to various environmental groups who contended that the bill would set back our achieving strong standards in the future, I decided to vote against it and did so. The Governor thought this was a good beginning, signed it, and it is now law.

Late-term Abortion Procedure Ban (HB 2395)

The Process

1997 — A bill was introduced in the House, passed out of the House Law & Justice and Rules committees, and then, during floor debate, was tabled. That indefinitely postponed consideration of the issue — effectively “killing” it for the session.

1998 — A different bill dealing with the same subject was introduced in the House, passed out of the Law & Justice and Rules committees, and then referred to the floor for debate. It passed and was sent to the Senate. There the bill was referred to the Law & Justice and Rules commit-

tees, and then to the floor for consideration. A heavily amended bill banning partial-birth abortion of a viable fetus except to save the life or health of the mother then passed the Senate by a large majority. Because it was a different bill than had passed the House, it had to be considered there again. It could have been referred to a conference committee and changed, thus requiring another vote by the Senate and the House, but the proponents decided against it. That ended consideration of the issue for the session.

The Story

The bill was variously referred to as Partial-birth Abortion Ban (PBA), the Ban, or the Procedure. As there is no medical procedure known as partial-birth abortion, it is a political term defined by abortion opponents. Eventually everyone referred to the issue as PBA for identification purposes.

The bill came to the Senate with very restrictive language allowing the procedure only in the case of saving the life of the mother. This procedure is rarely, if ever, used by physicians. In fact, we could not find any doctor who had performed this procedure in our state. The law already prohibits abortion of a viable fetus, except to save the life or health of the mother. Therefore we proposed an amendment stating just that: that partial-birth abortion is already illegal under Initiative 120, which was passed by the voters. The debate was bipartisan and the bill passed by a large majority. It was returned to the House for concurrence and the sponsors of the original bill were very unhappy with the Senate version and decided to let the bill die for the session.

My Perspective

This was a very emotional and “political” issue that troubled many people. Its stated goal — to prohibit one procedure — had very little to do with reality, and much to do with trying to prohibit any abortion procedure. In spite of the rhetoric, all of us believe in promoting healthy births, but most of us believe that reproductive decisions are best left to women in consultation with their physicians. I worked closely with pro-choice advocates both in lobbying the Senate and the Governor. And this was truly a bipartisan effort. It required close cooperation and consultation with our legal and policy staff. We were able to pass a bill that restates I-120. The opponents are working on an initiative to overturn the law.

Gay Marriage (HB 1130)

The Process

January, 1997 — After its introduction, this bill made its way through the House Law & Justice Committee, the House Rules Committee, the full House, the Senate Law & Justice Committee, the Senate Rules Committee, and then the full Senate, where it was amended to remove a referendum clause. It was then approved.

April, 1997 — The House refused to concur in the Senate amendments, and when the Senate refused to budge, the bill essentially died.

January/February, 1998 — The bill was reintroduced and within weeks was approved by the House, and then was amended and approved by the Senate.

February, 1998 — As he had promised he would, the Governor vetoed the bill. Within hours, two-thirds of the House and two-thirds of the Senate voted to override the veto.

The Story

The story of this bill's progress in the Legislature is not pretty. The ban is unnecessary, divisive, and mean-spirited. If the Governor's veto had not been overridden, the proponents would have placed a referendum clause on the bill, sending it to ballot in November.

The Governor had to make a decision whether to veto the bill or let it become law without his signature. The latter was only a consideration because the sponsors announced that if the Governor vetoed the bill they would introduce a new ban bill with a referendum for the November ballot. There was no doubt that gay marriage opponents had enough votes to put the ban on the ballot. The Governor did veto the bill. The Legislature overrode the Governor's veto. Some supporters of gay marriage joined the vote to override because they did not want it to go on the November ballot. So the ban bill became law.

My Perspective

I had previously sponsored a bill allowing gay marriage, considering it a civil rights issue, and I therefore was opposed to this prohibition. I voted no on the bill and no on overriding the veto.

Children's Health (SB 6374)

The Process

January, 1998 — A bill seeking to expand the number of children eligible for Medicaid was introduced, but died after it was referred, without recommendation, from the Senate Health & Long-Term Care Committee to the Senate Ways & Means Committee. There were numerous attempts to amend the budget to expand health care coverage to more children.

The Story

Congress passed, as part of the federal budget, additional funding for expansion of children's health insurance. It provided \$2 of federal money for every \$1 of state money. The Governor requested minimal funding in order to hold the federal money. We would have three years to match the federal money. The majority party was adamant that we would not consider it this year.

My Perspective

It is imperative that we expand the availability of children's health care. There are currently some 90,000 Washington children uninsured, but 20,000 would have been made eligible for assistance had the funding been approved by the Legislature. We would have had three years to match the federal funding. Health care providers, hospitals, and children's services were all supportive. The majority party was not swayed. The failure was infuriating.

Town Hall Meeting on Education

Please join Pat and the 43rd District's two House members, Reps. Frank Chopp and Ed Murray, for a Town Hall meeting on Education.

When: Thursday, May 21 at 7 p.m.

Where: Seattle Central Community College
1701 Broadway, Room 3212



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Senator Pat Thibaudeau
414 John A. Cherberg Bldg.
PO Box 40482
Olympia, WA 98504-0482



Keep In Touch!

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